

CAUSE NO. 348-223864-07

LINDA M. MITCHELL

Plaintiff,

Vs.

GENERAL MOTORS CORPORATION
AND AUTONATION FORT WORTH
MOTORS, LTD., d/b/a BANKSTON
CHEVROLET FORT WORTH

Defendant.

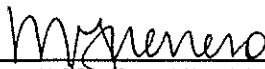
§ IN THE DISTRICT COURT
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§ 348TH JUDICIAL DISTRICT
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§ TARRANT COUNTY, TEXAS

NOTICE OF WITHDRAWAL OF APPEARANCE OF COUNSEL FOR A NONPARTY

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Mark W. Farris and Monica A. Guerrero of Bowman and Brooke, LLC, attorneys for General Motors, LLC, and respectfully files this Notice of Withdrawal of Appearance as counsel in this matter. General Motors, LLC is not a party in the above-styled and numbered cause, and the notice of appearance filed on behalf of General Motors, LLC was inadvertent. Mark W. Farris and Monica A. Guerrero of Bowman and Brooke, LLC do not represent General Motors Corporation and have not filed a notice of appearance on behalf of any named party in this lawsuit.

Respectfully submitted,



MARK W. FARRIS

State Bar No. 00792494

MONICA A. GUERRERO

Texas Bar No. 24054219

BOWMAN AND BROOKE LLP

600 Congress Avenue

Suite 1400

Austin, Texas 78701

Telephone: (512) 874-3800

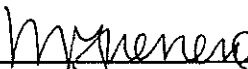
Telecopier: (512) 874-3801

ATTORNEYS FOR GENERAL MOTORS, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all known counsel of record in this cause in accordance with the Texas Rules of Civil Procedure on this 2nd day of August, 2012.

Linda Mitchell
1710 Marlene Drive
Eules, Texas 76040 (Via CMRRR)



Monica A. Guerrero



600 Congress Avenue, Suite 1400
Austin, TX 78701
Phone: 512.874.3800
Fax: 512.874.3801
www.bowmanandbrooke.com

Monica A. Guerrero
Direct: 512.874.3836
Email: monica.guerrero@bowmanandbrooke.com

August 2, 2012

Thomas A. Wilder
Tarrant County District Clerk
Justice Center
401 W. Belknap Street
Fort Worth, TX 76196-0402

Re: Cause No. 348-223864-07; *Linda M. Mitchell vs. General Motors Corporation, et al.*; In the 348th District Court, Tarrant County, Texas

Dear Mr. Wilder:

Enclosed are an original and one copy of Defendant General Motors, LLC's Notice of Withdrawal of Appearance of Counsel for a Nonparty. Please file the original among the papers of this cause and return a file-marked copy to me in the enclosed, prepaid envelope.

By copy of this letter, the foregoing has been served on all known counsel of record. Should you have any questions, please feel free to contact me.

Sincerely,

BOWMAN AND BROOKE LLP

A handwritten signature in black ink, appearing to read "M. Guerrero", is written over the typed name.

Monica A. Guerrero
Associate

MAG/sr

cc: Linda Mitchell (Via CMRRR)

CAUSE NO. 348-223864-07

LINDA M. MITCHELL

Plaintiff,

V.

GENERAL MOTORS CORPORATION
AND AUTONATION FORT WORTH
MOTORS, LTD., d/b/a BANKSTON
CHEVROLET FORT WORTH,

Defendants.

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IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

348TH JUDICIAL DISTRICT

AMENDED MOTION FOR WITHDRAWAL OF COUNSEL

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the attorneys for Defendant Autonation Fort Worth Motors, Ltd., d/b/a Bankston Chevrolet Fort Worth ("Autonation") and submit this Amended Motion for Withdrawal of Counsel pursuant to Tex. R. Civ. P. 10, amending and superceding the Motion for Withdrawal of Counsel previously filed by said attorneys on July 12, 2012, and in support here would show the Court the following.

1. Autonation is presently represented, at least in part, by the law firm of Craddock Davis & Krause LLP (the "Attorneys"). The Attorneys previously filed a Motion for Withdrawal of Counsel on July 12, 2012, but that motion incorrectly stated that the Attorneys sought to withdraw from representing General Motors, L.L.C. General Motors, L.L.C. is not and has never been a party to this lawsuit. The Attorneys have previously represented General Motors Corporation ("GMC"), which is a party to this suit, but which filed for bankruptcy on June 1, 2009 and remains under the protection of the bankruptcy laws. The Attorneys are not authorized to act for GMC.

2. The Attorneys represent Autonation by virtue of the previous partial indemnification of Autonation by GMC. On April 28, 2008, the Court signed an Order Granting Substitution of Counsel substituting the Attorneys as counsel for Autonation.

3. The Attorneys request that Michael J. Craddock, Eric L. Lindstrom, and the law firm of Craddock Davis & Krause LLP be allowed to withdraw as attorneys of record for Autonation. Good cause for such withdrawal exists in that the current General Motors has terminated the Attorneys from representing it in General Motors cases, and has hired new counsel. It is the understanding of the Attorneys that Mark W. Farris of Bowman and Brooke LLP will be appearing as attorney of record for the appropriate party(ies) in this case. Mr. Farris has filed an entry of appearance in this case, though it appears to have the same deficiency as the Attorneys' Motion for Withdrawal of Counsel filed on July 12, 2012, in that it purports to be on behalf of General Motors, L.L.C. Again, General Motors, L.L.C. is not and never has been a party to this case.

4. This Motion is not sought for delay only.

PRAYER

WHEREFORE, PREMISES CONSIDERED, the law firm of Craddock Davis & Krause LLP, including Michael J. Craddock and Eric L. Lindstrom, prays that this Court enter an order permitting them to withdraw as attorneys of record for Defendant Autonation Fort Worth Motors, Ltd., d/b/a Bankston Chevrolet Fort Worth. The Attorneys pray for all relief to which they are entitled.

Respectfully submitted,

CRADDOCK DAVIS & KRAUSE LLP

By: 

Michael J. Craddock
Texas Bar No. 04970300
Eric L. Lindstrom
State Bar No. 12385200

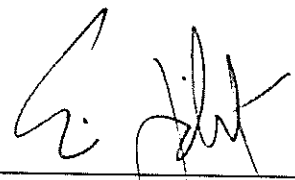
3100 Monticello Avenue, Suite 550
Dallas, Texas 75205-3466
214/750-3550
214/750-3551 (FAX)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been forwarded to all known counsel of record in accordance with the Texas Rules of Civil Procedure, on this 2nd day of August, 2012.

VIA CMRRR & U.S. MAIL

Ms. Linda Mitchell
1710 Marlene Drive
Eules, TX 76040



Michael J. Craddock
Eric L. Lindstrom

Craddock Davis & Krause LLP

Attorneys and Counselors

MICHAEL J. CRADDOCK
ALSO MEMBER OF ALABAMA BAR, ARKANSAS BAR,
OKLAHOMA BAR, NEW MEXICO BAR, AND
NEVADA BAR
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OTHER OFFICES
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Telephone: (334) 215-3064

Santa Fe, New Mexico
Telephone: (505) 820-3368

August 2, 2012

Mr. Thomas A. Wilder
Tarrant County District Clerk
Justice Center
401 W. Belknap Street
Fort Worth, TX 76196-0402

VIA FACSIMILE

Re: Cause No. 348-223864-07; *Linda M. Mitchell vs. General Motors Corporation and AutoNation Fort Worth Motors, Ltd., d/b/a Bankston Chevrolet Fort Worth*; 348th District Court, Tarrant County, Texas

Dear Mr. Wilder:

Enclosed are an original and one (1) copy of a Amended Motion for Withdrawal of Counsel and a proposed Order granting same in the above-captioned matter. Please present the Motion and Order to the Judge for review and, if approved, signature. Thereafter, file the originals among the papers of this cause and return a file-marked copy of the Motion and a conformed copy of the Order to me in the enclosed, prepaid envelope.

By copy of this letter, the foregoing has been served on all known counsel of record. Thank you for your assistance with this matter.

Very truly yours,



Michael J. Craddock

MJC/lr
Enclosure

cc: VIA CMRRR & U.S. MAIL

Ms. Linda Mitchell
1710 Marlene Drive
Euless, TX 76040

CAUSE NUMBER: 348-223864-07

LINDA M. MITCHELL

IN THE DISTRICT COURT

VS

348TH JUDICIAL DISTRICT COURT

GENERAL MOTORS CORPORATION AND
AUTONATION FORT WORTH MOTORS, LTD
d/b/a BANKSTON CHEVROLET FORT WORTH TARRANT COURT, TEXAS

ORDER APPROVING WITHDRAWAL OF ATTORNEY

On the 22nd day of September, 2011, the motion to withdraw as attorney by Richard C. Dalton was presented to and considered by this Court. This Honorable Court finds that good cause has been shown and it is ORDERED that Richard C. Dalton be permitted to withdraw as attorney in this cause.

Signed on the 22nd day of September, 2011.

Wanani Wmadi
DISTRICT JUDGE

ON 9-22-11, ALL SERVED VIA:
- HAND DELIVERY
- MAIL Richard Dalton, Craig Patrick
- Richard Dalton WHO IS TO
SERVE COPIES ON ALL OTHERS

Court's Minutes
Transaction # 469

CAUSE NUMBER:348-223864-07

LINDA M. MITCHELL

IN THE DISTRICT COURT

VS.

348TH JUDICIAL DISTRICT

GENERAL MOTORS CORPORATION AND
AUTONATION FORT WORTH MOTORS, LTD
d/b/a BANKSTON CHEVROLET FORT WORTH

TARRANT COUNTY, TEXAS

ORDER APPROVING WITHDRAWAL OF ATTORNEY

On the 22nd day of September, 2011, the motion to withdraw as attorney by Craig M. Patrick was presented to and considered by the Court. The Court finds that good cause has been shown and it is ORDERED that Craig M. Patrick be permitted to withdraw as attorney in this cause.

Signed on the 22nd day of September, 2011.


JUDGE PRESIDING

ON 9-22-11, ALL SERVED VIA:
☒ HAND DELIVERY
☒ MAIL
_____, WHO IS TO
SERVE COPIES ON ALL OTHERS

ORDER - MOTION TO WITHDRAW AS ATTORNEY

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Court's Minutes
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